

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Kenneth T. Heruth; Keith A. Miesel	Confirmation No.	8230
Serial No.:	10/825,955	Filed:	April 15, 2004
Examiner:	Jeffrey Gerben Hoekstra	Group Art Unit:	3736
Docket No.:	1023-362US01	Customer No.:	28863
Title:	COLLECTING ACTIVITY AND SLEEP QUALITY INFORMATION VIA A MEDICAL DEVICE		

CERTIFICATE UNDER 37 CFR 1.8 I hereby certify that this correspondence is being transmitted via the United States Patent and Trademark Office electronic filing system on September 5, 2008.

By:

Name: Shirley A. Betlach

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits the references listed on the attached form PTO-1449. This statement is being filed, to the best of Applicant's knowledge, before the receipt of a first Office Action on the merits following the filing of the Request for Continued Examination (RCE) submitted August 6, 2008.

Applicant has enclosed a copy of each article cited. Copies of the U.S. patents and publications are not enclosed as this requirement has been waived by the U.S. Patent Office.

No fee is believed due. Please apply any deficiencies or credits to Deposit Account No. 50-1778.

Respectfully submitted,

Date:

9-5-08

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